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EXAMINER

WALSH, JOHN B

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 09/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/674,870

Applicant(s)

GURBINDER SINGH KALSI

Examiner

John B. Walsh

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 and 26-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8,9,15 and 16 is/are allowed.
- 6) ☒ Claim(s) 1-7,10-14,18-24,26-28,30-32,35-38 and 40-46 is/are rejected.
- 7) ☒ Claim(s) 17,29,33,34 and 39 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 17 is objected to because of the following informalities: claim 17, lines 2-3 recite "an abutment fast with the pawl". The term "fast" seems to be a misspelled word and the examiner is unsure what applicant intends to replace the term with. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 31, 42 and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 31 recites the limitation "the pawl lifter". There is insufficient antecedent basis for this limitation in the claim.

Claim 42 recites the limitation "the release member". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1-7, 10-14, 18-24, 26-28, 30, 31, 32, 35-38 and 40-46 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,676,003 to Ursel et al.

Ursel et al. '003 discloses a housing (15); a pawl (23) mounted in the housing to release a latch (20); at least one of an inside and outside lock link (33,32) mounted so as to be movable between a first position at (column 5, lines 29-40) which operation of an associated release member (53) causes movement of the pawl to release the latch, and a second position (column 5, lines 4-10) at which operation of the associated release means does not cause movement of the pawl; wherein the at least one lock link is mounted such that movement of the pawl is necessarily accompanied by movement of the link (in order to move the pawl the at least one lock link must be moved; column 2, lines 55-66).

As concerns claim 2, the pawl is rotatably mounted in the housing (figure 1).

As concerns claim 3, a pawl lifter (28,27) is connected to the pawl and the at least one lock link is mounted on the pawl lifter (figure 2).

As concerns claims 4, 30 and 36, the at least one lock link is pivotally mounted for rotational movement between the first and second positions (figure 7 and 9) about a second axis (pin for 33,32).

As concerns claim 5, the at least one lock link is mounted for movement with the pawl (figure 7 and 9).

As concerns claims 6 and 37, indexing of a cam (44) effects movement of the at least one lock link between the first and second positions (column 3, line 28).

As concerns claims 7 and 38, the cam is rotationally mounted for indexing (figures 5 and 6).

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As concerns claims 10 and 40, indexing of the cam effects movement of both the inside and outside lock link between the first and second positions (column 3, line 28; column 5, lines 25-26).

As concerns claims 11 and 41, the cam has a plurality of lobes (47,48).

As concerns claims 12 and 42, the release means is capable of indexing the cam to move at least one of the lock links between the first and second positions (column 5, lines 29-40).

As concerns claims 13 and 43, the release means is capable of indexing the cam to move at least one of the lock links from the second position to the first position (column 5, lines 29-40).

As concerns claim 14, movement of the at least one lock link between the first and second position is effected by a power actuator (50; column 1, lines 5-14 and column 1, lines 26-27).

As concerns claim 18, the latch mechanism having a set of operating modes, each mode having alternate states, the set including at least one of a lock mode and a super lock mode (column 4, lines 4-5), and at least one of a child safety mode and a release mode (column 4, lines 7-10), changing of the latch mechanism between alternate states of each of the at least two modes of the set being effected by a single power actuator (50).

As concerns claim 19, the set includes the lock mode and the super lock mode (column 4, lines 4-5) and at least one of the child safety mode and release mode (column 4, lines 7-10).

As concerns claim 20, the set includes at least one of the lock mode and the super lock mode (column 4, lines 4-5) and both of the child safety mode (column 5, line 14) and release mode (column 4, lines 7-10).

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As concerns claim 21, the latch mechanism having a set of operating modes, each mode having alternate states, the set including a child safety mode (column 5, line 14) and a release mode (column 4, lines 7-10), changing of the latch mechanism between alternate states of each of the modes being effected by a single power actuator (50).

As concerns claim 22, a latch mechanism (10) having a set of operating modes, each mode having alternate states, the set including at least one of a lock mode and a super lock mode (column 4, lines 4-5), and at least one of a child safety mode and a release mode (column 4, lines 7-10), changing of the latch mechanism between alternate states of each of the at least two modes of the set being effected by a single power actuator (50); wherein a cam having a single plane profile is driven by the actuator to select the states (figure 4, shows cam of single plane profile; column 4, lines 10-15).

As concerns claim 23, the set includes the lock mode (column 2, lines 53-54) and the super lock mode (column 4, lines 4-5) and at least one of the child safety mode and release mode (column 4, lines 7-10).

As concerns claims 24 and 45, the set includes at least one of the lock mode and the super lock mode (column 4, lines 4-5) and both of the child safety mode (column 5, line 14) and release mode (column 4, lines 7-10).

As concerns claim 46, a latch mechanism (10) having a set of operating modes, each mode having alternate states, the set including a child safety mode (column 5, line 14) and a release mode (column 4, lines 7-10), changing of the latch mechanism between alternate states of each of the modes being effected by a single power actuator (50).

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As concerns claims 26 and 44, a vehicle body (column 2, line 31) including a first and second door (column 2, line 32), each door including respective first and second latch mechanisms (10) as defined in claim 1, each mechanism being operable by respective first and second power actuators (50) to give respective first and second sets of operating modes, each mode having alternate states, and control of the power actuators being different to provide for different first and second sets of operating modes (abstract).

As concerns claim 27, the first and second latch mechanisms are substantially the same (10; column 2, lines 31-32).

As concerns claim 28, a vehicle (column 2, line 31) including a first and second door (column 2, line 32), each door including respective first and second latch mechanisms (10), the first and second latch mechanisms are substantially the same (column 2, lines 31-33), and being operable by respective first and second power actuators (50) to give respective first and second sets of operating modes, each mode having alternate states, and control of the power actuators being different to provide for different first and second sets of operating modes (abstract).

As concerns claim 31, the rotation of the at least one lock link about the second axis occurs relative to the pawl lifter (the rotation of the at least one lock link has relative movement with respect to the pawl).

As concerns claim 32, the inside and outside lock link are both mounted such that movement of the pawl is necessarily accompanied by movement of both lock links (in order to move the pawl the at least one lock link must be moved; column 2, lines 55-66).

As concerns claim 35, at least one of an inside and outside lock link (33,32) movable by the cam (column 3, line 28) between a first and second alternate states (column 4, lines 45-47).

***Allowable Subject Matter***

6. Claims 8, 9, 15 and 16 are allowed.
7. Claim 17 would be allowable if rewritten to alleviate the objection to the claim.
8. Claim 29, 33, 34 and 39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

9. Applicant's arguments filed June 6, 2002 have been fully considered but they are not persuasive.

As concerns the applicant's argument that Ursel et al. do not teach wherein the at least one lock link is mounted such that movement of the pawl is necessarily accompanied by movement of the link, in order to move the pawl of Ursel et al. the at least one lock link must be moved (see column 2, lines 55-66).

As concerns the applicant's argument that Ursel et al. does not teach the cam having a single plane profile driven by the actuator to select the states, Ursel et al. do teach these limitations (see figure 4, shows cam of single plane profile; column 4, lines 10-15).

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).




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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 703-305-0444. The examiner can normally be reached on Monday-Friday from 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9325.

  
Anthony Knight  
Supervisory Patent Examiner  
Technology Center 3670

JW  
September 9, 2002